

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

In re:

USA GYMNASTICS,<sup>1</sup>

Debtor.

Chapter 11

Case No. 18-09108-RLM-11

**NOTICE OF APPLICATIONS TO EMPLOY AND OPPORTUNITY TO OBJECT**

On January 10, 2019, the Additional Tort Claimants Committee of Sexual Abuse Survivors (the “Sexual Abuse Survivors’ Committee”), appointed in this case, filed the following:

- *Application to Employ Pachulski Stang Ziehl & Jones LLP as Counsel to the Additional Tort Claimants Committee of Sexual Abuse Survivors Effective Nunc Pro Tunc as of December 20, 2018* (the “PSZJ Employment Application”) [Doc 148]; and
- *Application to Employ Rubin & Levin, P.C. as Local Counsel to the Additional Tort Claimants Committee of Sexual Abuse Survivors Effective Nunc Pro Tunc as of December 20, 2018* (the “R&L Employment Application”) [Doc 149].

Both applications request entry of an order, pursuant to 11 U.S.C. §§ 327, 328 and 1103, Rule 2014 of the Federal Rules of Bankruptcy Procedure and Local Rule B-2014-1, authorizing the Sexual Abuse Survivors’ Committee to retain and employ the above-referenced law firms as counsel in this case, effective *nunc pro tunc* as of December 20, 2018. The applications set forth a summary of the terms of employment for each law firm. Pursuant to the PSZJ Employment Application, the firm’s ordinary and customary hourly rates for 2018 and 2019 are as follows:

	<b><u>2018 &amp; 2019</u></b>
Partners	\$650 - \$1,295
Of Counsel	\$595 - \$1,025
Associates	\$495 - \$595
Paraprofessionals	\$350 - \$395
Law Clerks	\$295

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<sup>1</sup> The last four digits of the Debtor’s federal tax identification number are 7871. The location of the Debtor’s principal office is 130 E. Washington Street, Suite 700, Indianapolis, Indiana 46204.

Pursuant to the R&L Employment Application, the firm's ordinary and customary hourly rates for 2018 and 2019 are as follows:

	<u>2018</u>	<u>2019</u>
Partners	\$350 - \$450	\$385 - \$495
Associates	\$295 - \$325	\$325 - \$360
Of Counsel	\$350 - \$400	\$385 - \$440
Paraprofessionals	\$175	\$195

Copies of the applications may be found at <https://omnimgt.com/usagymnastics>.

**NOTICE: Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this case. If you do not have an attorney, you may wish to consult one.**

If you do not want the Court to enter an order granting the applications, or if you want the Court to consider your views on the applications, then on or before **January 31, 2019** (21 days from the date of service), you or your attorney must file with the Court a written objection explaining your position.

Those not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or in person at:

116 U.S. Courthouse  
46 East Ohio Street  
Indianapolis, IN 46204

If you mail your objection to the Court, you must mail it early enough so the Court will **receive** it on or before the date stated above.

You must also send a copy of your objection to those on the Service List and the following:

Meredith R. Theisen  
Deborah J. Caruso  
Rubin & Levin, P.C.  
135 N. Pennsylvania Street, Suite 1400  
Indianapolis, IN 46204

James I. Stang  
Ilan D. Scharf  
Kenneth H. Brown  
Steven W. Golden  
Pachulski Stang Ziehl & Jones LLP  
10100 Santa Monica Boulevard, 13<sup>th</sup> Floor  
Los Angeles, CA 90067

If you or your attorney do not take these steps, the Court may decide that you do not oppose an order granting the applications, and may enter an order granting that relief.

Respectfully submitted,

PACHULSKI STANG ZIEHL & JONES LLP

Dated: January 10, 2019

/s/ James I. Stang

James I. Stang, Esq. (admitted *pro hac vice*)  
Ilan D. Scharf, Esq. (admitted *pro hac vice*)  
Kenneth Brown, Esq. (admitted *pro hac vice*)  
Steven W. Golden, Esq. (admitted *pro hac vice*)  
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-and-

RUBIN & LEVIN, P.C.

/s/ Meredith R. Theisen

Meredith R. Theisen, Esq.  
Deborah J. Caruso, Esq.  
135 N. Pennsylvania Street, Suite 1400  
Indianapolis, IN 46204  
Telephone: (317) 634-0300  
Facsimile: (317) 263-9411  
Email: dcaruso@rubin-levin.net  
mtheisen@rubin-levin.net

*Proposed Counsel for the Sexual Abuse Survivors'  
Committee*

### **CERTIFICATE OF SERVICE**

I hereby certify that on January 10, 2019 a copy of the foregoing *Notice of Applications to Employ and Opportunity to Object* was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

Kenneth H. Brown kbrown@pszjlaw.com  
John Cannizzaro john.cannizzaro@icemiller.com, Deborah.Martin@icemiller.com  
Deborah Caruso dcaruso@rubin-levin.net, dwright@rubin-levin.net; jkrichbaum@rubin-levin.net; atty\_dcaruso@bluestylus.com  
Laura A DuVall Laura.Duvall@usdoj.gov, Catherine.henderson@usdoj.gov  
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 U.S. Trustee ustpregion10.in.ecf@usdoj.gov  
 Mark R. Wenzel mwenzel@salawus.com, pdidandeh@salawus.com

I further certify that on January 10, 2019, a copy of the foregoing *Notice of Applications to Employ and Opportunity to Object* was mailed by first-class U.S. Mail, postage prepaid, or electronic mail as indicated and properly addressed to the following:

USA Gymnastics 130 E. Washington Street, Suite 700 Indianapolis, IN 46204	Aon Premium Finance LLC 200 E. Randolph St. Chicago, IL 60601	The PNC Financial Services Group d/b/a PNC Bank c/o Douglas Mundell PNC Bank, NA 300 Fifth Avenue Pittsburgh, PA 15222
Sharp Business Systems c/o Mike Bowman 7330 E. 86 <sup>th</sup> Street Indianapolis, IN 46256	Stephen D. Penny Jr. 11121 Mirador Lane Fishers, IN 46037	Fidelity Investments 2018 USAG Profit Sharing Contribution 100 Crosby Parkway Covington, KY 41015
Plews Shadley Racher & Braun LLP 1346 N. Delaware St. Indianapolis, IN 46204	American Athletic, Inc. 200 American Ave. Jefferson, IA 50129	PNC Bank P.O. Box 828702 Philadelphia, PA 19182
National Travel Systems Corporate Office 4314 S. Loop 289, Suite 300 Lubbock, TX 79413	Wipfli LLP 12359 Sunrise Valley Drive Reston, VA 20191	The Alexander 333 South Delaware Street Indianapolis, IN 46204
John Cheng 137 Danbury Rd. #141 New Milford, CT 06776	Benchmark Rehabilitation Partners P.O. Box 2314 Ooltewah, TN 37363	AT&T P.O. Box 105414 Atlanta, GA 30348
Sport Graphics, Inc. 3423 Park Davis Circle Indianapolis, IN 46235	BMI P.O. Box 630893 Cincinnati, OH 45263	Tatiana Perskaia 7633 Hamelin Lane Gainesville, VA 20155

Antonia Markova  
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Ivan Yordanov Ivanov  
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Elite Sportswear, LP  
6850 Enterprise Drive  
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Neofunds By Neopost  
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United States Olympic  
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Colorado Springs, CO 80909  
Attn: Chris McCleary

Covington & Burling LLP  
The New York Times  
Building  
620 Eighth Avenue  
New York, NY 10018  
Attn: Dianne F. Coffino  
Martin E. Beeler  
R. Alexander Clark  
Gabriella B. Zahn-  
Bielski

/s/ Meredith R. Theisen

Meredith R. Theisen

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